

Standards For Claims Submitted For Reimbursement Pursuant To The Criminal Justice Act

The following standards address certain areas commonly billed to CJA and information is provided to assist with billing.

- ◆ Time claimed for review of discovery or documents must include the number of pages reviewed.
- ◆ Preparation of standard or routine stipulations e.g., stipulations that do not involve any legal research such as stipulations to continue sentencing, trial, pretrial motion or response due dates} and form filings: .5 to .7 hr
- ◆ Review of a stipulation prepared by another party: no greater than .3 hr (18 min)
- ◆ Billable hours per day should not exceed 10 hours a day (unless preparing for trial or in trial).
- ◆ Time claimed for leaving a voice message, if any, should not exceed .1 hr (6 min)
- ◆ Time spent downloading, opening, renaming, saving, printing, and /or forwarding a Notice of Electronic Filing (NEF) is considered a clerical function, which falls under the category of “general office expenses” and is **not compensable**.
- ◆ Claims for reviewing a NEF and any associated document(s) should be limited to only the time spent reading the text of those documents. In addition, the document number(s) or title(s) of the NEF(s) and any associated document(s) reviewed should be noted so the Court can assess the reasonableness of the time spent.
- ◆ When billing a case where numerous NEFs and documents are reviewed in a single day, the time claimed must be the actual time spent, recorded as a single line item on the statement or worksheet, and must include the document number(s) or title(s).
- ◆ Travel time and mileage must compute from the office, not the attorney’s home, unless home is the office.
- ◆ The number of pages for in-house copy work and faxes must be referenced on the statement or expense worksheet.
- ◆ Service of Subpoena(s) and payment of fact witnesses fees are not reimbursable through the CJA system (see Rule 17b and information provided re: Fact Witness Vouchers)
- ◆ In-Court time should be limited to the time specifically spent in Court [15a-h]. In-Court time may be calculated beginning 15 minutes before the hearing is scheduled to begin until either the time you leave the hearing or the hearing concludes, which ever is earlier. All other time associated with the hearing should be included in the Out-Of-Court category, including for example, travel time to and from court[16d], conferences with other counsel or with individuals affiliated with the defendant, and interviews with the defendant at Marshal’s lockup [16a].)
- ◆ Time claimed for acceptance of appointments or for preparation of vouchers are **not compensable**.
- ◆ Interim payments for counsel, once approved by the court, may only be submitted on a monthly basis if they exceed \$1000. Otherwise, you must wait until the end of the next complete month when this amount has been reached or exceeded. You may not request payment for a partial month unless it is the first or final voucher. (Note: this rule **does not** apply to budgeted cases when counsel have been directed to submit monthly vouchers)